UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

JAN 2 0 2006 CATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TIM MARSDEN,

Defendant - Appellant.

No. 04-30283

D.C. No. CR-03-00171-13-JKS

District of Alaska,

Anchorage

ORDER

RECEIVED ANCHORACE AT ACEA ANCHORAGE, ALASKA

Appellant's renewed motion for voluntary dismissal of this appeal is granted. This appeal is dismissed. See Fed. R. App. P. 42(b); 9th Cir. R. 27-9.1.

The certified copy of this order sent to the district court shall constitute the mandate.

For the Court:

Adrienne H. Hickman

Deputy Clerk

Ninth Cir. R. 27-7

General Orders/Appendix A

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A TRUE COPY

ATTEST

CATHY CATTERSON

Deputy Clerk

This certification does constitute the

mandate of the court.